

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FILED
8/20/2021
THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT
JMK

MALIBU MEDIA, LLC,

Plaintiff-Judgment Debtor/
Citation-Respondent

v.

WILLIAM MULLINS,

Defendant-Judgment Creditor,
and

BRIGHAM FIELD,

Third-party representative of
the corporate citation respondent Zo Digital
LLC, In Pro Per

Case No. 1:18-cv-06447

Judge Thomas M. Durkin

**DECLARATION OF BRIGHAM FIELD IN SUPPORT MOTION TO VACATE THE
ASSET RESTRAINING ORDER,**

OR IN THE ALTERNATIVE,

**MOTION FOR EXTENSION OF TIME TO RETAIN COUNSEL ON BEHALF OF
PARTY BRIGHAM FIELD - TO RESPOND TO EX-PARTE MOTION FOR A FEDERAL
RULE 69 ASSET RESTRAINING ORDER**

1. I am over the age of eighteen (18) and otherwise competent to make this declaration.
2. The facts stated in this declaration are based upon my personal knowledge and, if called upon to do so, I will testify that the facts stated herein are true and accurate.
3. I am a professional web development expert with more than 25 years of experience in internet website design, development, and marketing.
4. I founded Zo Digital in 2013, and I am the sole owner of Zo Digital.
5. From 2017 to present day, Zo Digital has been responsible for the design, development, hosting and ongoing maintenance of the website X-ART.COM, as well as managing content and posting updates.

6. In addition to the Internet and design duties named herein, Zo Digital manages online marketing, social media and customer service for X-ART.COM

7. In exchange for the duties performed, Zo Digital receives income from the website X-ART.

8. I do not presently have counsel to represent me in this matter, but I am actively seeking counsel.

9. Respectfully, I request of this Court at least 21 days to find counsel and bring them up to date on this matter.

DECLARATION

PURSUANT TO 28 U.S.C. § 1746, I hereby declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

By: 
BRIGHAM FIELD, In Pro Per

MOTION TO DISSOLVE TEMPORARY RESTRAINING ORDER

I, Brigham Field, hereby move, pursuant to ICLS 5/11-108 and any other related Federal rules and statutes, to dissolve the Temporary Restraining Order entered in this matter. In support of this motion, I state as follows:

STATEMENT OF FACTS

1. To the best of my knowledge, I have not been served with any documents related to this case by first class mail, nor any other means.
2. The funds and credit receipts in the “merchant accounts” for the website X-ART.COM are at least 80% the property of Zo Digital, LLC, and they are not subject to any lien by any third party.
3. Brigham Field and Zo Digital have not diverted any income or assets belonging to Malibu Media.
4. Colette Pelissier has not diverted any income or assets belonging to Malibu Media.

5. The temporary restraining order placed on the funds belonging to Zo Digital has caused, and will continue to cause - irreparable harm to Zo Digital and the website X-Art.com (the “website”).

6. Without access to these funds, Zo Digital will be unable to pay its staff to perform regular duties including maintenance of the website, monitoring website hosting, and posting of new content to the website.

7. Zo Digital’s staff rely on biweekly payments to pay for their basic personal expenses such as rent and food.

8. I have filed personal and Zo Digital tax returns for all years prior to and including 2017 and 2018, and my tax professionals are currently preparing to file 2019-2020 tax returns.

9. The injunctive relief entered by this Court has and will continue to cause irreparable and incalculable harm to Zo Digital, LLC and the website X-ART.COM. Without regular content updates and customer service, customers will quit the site and demand refunds. Furthermore, the damage to the X-ART.COM brand and the reputation of the website itself will be damaged by a permanent and immeasurable amount; when customers leave unsatisfied, they rarely return.

10. On behalf of myself and Zo Digital, I respectfully request that a bond be raised by the Defendant, to help protect Zo Digital from the damages being caused and incurred as a result of the injunction issued by the Defendant.

11. To the best of my knowledge, the Defendant in this case does not face irreparable injury. On information and belief, any damages claimed by Defendant would be recoverable under Defendant’s claims.

WHEREFORE, Field prays for entry of the following orders:

The Temporary Restraining Order entered on or about August 11, 2021, is hereby dissolved.

Dated August 20, 2021.

Signed and Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Brigham Field", written over a horizontal line.

Brigham Field, In Pro Pe